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10/029,951	12/31/2001	Zhen-Man Lin	GIA 117	5248

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EXAMINER

DINH, TIEN QUANG

ART UNIT

PAPER NUMBER

3644

DATE MAILED: 08/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/029,951

Applicant(s)

LIN, ZHEN-MAN

Examiner

T. Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

The abstract of the disclosure is objected to because it is more than one paragraph. Correction is required. See MPEP § 608.01(b).

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

In claim 7, narcotic guns have not been disclosed in the specification.

In claim 9, a remote control plane to control the airliner has not been disclosed in the specification.

35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: On page 12, "graph" is used instead of figure. On page 13, an element is referred to by "Fig.1-1 instead of just 1. Further, on page 16, flight locus calibrator is a vague term that one skilled in the art would not understand.

***Information Disclosure Statement***

The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-9 rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It is not understood what a flight locus monitor does. Why is it a locus? Is this a translation error?

It is not understood how the double door system works. As shown in figure 1 and 4, if the person trying to enter the cockpit through the double door system, why is the weight sensor and voice recognition system, etc. not in the space covered by the double

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door. It seems that all the sensors are located in the "k" section and not in the space defined by the double door.

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Further in claim 6, what is a raster curtain? What does it do? Another translation problem?

In claim 7, what is a narcotic gun?

In claim 9, how does the remote-control plane is prepared to control the airliner?

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 1, a "program" is vague and indefinite. Does the applicant mean "system"?

In claim 1, line 2, "the double door 'single person checkroom'" lacks antecedent basis.

In claim 1, part b, "the cockpit and the ground monitoring center" and "the concealed electronic monitoring devices" lack antecedent basis.

In claim 1, part c, "the flight locus monitor" lacks antecedent basis.

In claim 2, line 2, "the two doors" lack antecedent basis.

In claim 6, line 3, "the raster curtain" lacks antecedent basis.

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The above noted informalities are merely exemplary and not to be taken as an exhaustive list of all such instances. The applicant is advised to review the claims in their entirety for compliance with 35 U.S.C. 112, first and second paragraph.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Garehime in view of Zekich, Feher, and Borthayre.

Garehime discloses an aircraft hijacking system having a monitoring device to deter potential hijackers with "narcotic guns" but lacks the system to allow ground base system to control the aircraft or the "flight locus monitor", the means to monitor the aircraft from the ground, and the double-door system with means to determine the accessibility of a person to the cockpit and the door system having transparent bulletproof glass. However, Zekich discloses a double door system having clear bulletproof glass and identification means (five finger mold) are well known in the art. Feher discloses means to monitor the aircraft from the ground are well known. Borthayre discloses a system to take control away from the cockpit to the ground system via a special frequency band is well known in the art.

It would have been obvious to one skilled in the art at the time the invention was made to have used double door system having clear bullet proof glass and identification

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means (five finger mold), means to monitor the aircraft from the ground, and a system to take control away from the cockpit to the ground system in Garehime's system as taught by Zekich, Feher, and Borthayre to prevent the hijackers from taking over the aircraft. As for the term consists, please note that it would have been obvious to one skilled in the art to have taken away non-critical elements of the security system in Garehime's system to reduce complexity and reduce weight.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garehime as modified by Zekich, Feher, and Borthayre as applied to claim 1 above, and further in view of Torian et al.

Garehime as modified by Zekich, Feher, and Borthayre discloses all claimed parts of the invention except for the remote control airplane used to control the airliner. However, Torian et al discloses that an airplane used to control another aircraft is well known in the art. (Please note, that remote control aircrafts are notoriously well known in this day and age).

It would have been obvious to one skilled in the art at the time the invention was made to have used a remote control aircraft to control the hijacked aircraft in Garehime's system as modified by Zekich, Feher, and Borthayre and as taught by Torian et al to prevent the hijackers from taking over the aircraft by having the remote control aircraft follow the hijacked aircraft so that the control signals can not be lost.

### ***Conclusion***

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Ord, Anderson, Pizzo, and Jensen disclose hijacking prevention means.

Jacoby et al, Diaz, Anastassakis, and Brown disclose security systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to T. Dinh whose telephone number is 703-308-2798.

The examiner can normally be reached on Monday Through Friday 8-6, alternate Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Jordan can be reached on 703-306-4159. The fax phone numbers for the organization where this application or proceeding is assigned are 703-306-4195 for regular communications and 703-306-4195 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-4177.

T. Dinh  
Examiner  
Art Unit 3644

TD  
August 11, 2002

*T. Dinh*  
8/11/02